

REMARKS

In view of the above amendments and following remarks, reconsideration and further examination are requested.

In the Final Rejection mailed May 4, 2004: claims 21, 27-31, 33-36 and 38-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. in view of Akasaki; claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. in view of Akasaki, and further in view of Iwanaga et al.; claim 23 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. in view of Akasaki, and further in view of Rainer; claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. in view of Akasaki, and further in view of Kent et al.; claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. in view of Akasaki and Kent et al., and further in view of Swift et al.; claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. in view of Akasaki, Kent et al., and Swift et al., and further in view of "Paste for electronic materials"; claim 32 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. in view of Akasaki, and further in view of Maeda et al.; and claim 37 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato et al. in view of Akasaki, and further in view of Tannas, Jr. These rejections are respectfully traversed and the references relied upon by the Examiner are not applicable with regard to the currently pending claims for the following reasons.

In rejecting claim 21 as being obvious over a combination of Sato et al. and Akasaki, the Examiner expresses that Akasaki discloses an adhesive in which fine particles having hygroscopic features are mixed with an adhesive and notes advantages to be realized by the invention of Akasaki. The Examiner then concludes that in view of Akasaki one having ordinary skill in the art would have found it obvious to modify Sato et al. by having the two substrates thereof be bonded with an adhesive having mixed therewith hygroscopic particles, based on Akasaki's teaching that using an adhesive in combination with hygroscopic particles improves moisture absorbency of a laminate product including such an adhesive and hygroscopic particles. This position is respectfully traversed for the following reasons.

First, one having ordinary skill in the art would not have sought to have combine the teachings of Sato et al. and Akasaki. In this regard, in Akasaki the combination of the adhesive and

hygroscopic particles is used in the production of moisture-absorbing cloths, whereas Sato et al. pertains to a touch panel. Accordingly, Sato et al. and Akasaki are from non-analogous arts, whereby one having ordinary skill in the art would not have sought to combine the teachings of these references. Thus, for this reason claim 21 is allowable over Sato et al. and Akasaki.

Second, assuming arguendo that Sato et al. and Akasaki are from analogous arts, because of their different teachings one having ordinary skill in the art would not have sought to combine the teachings thereof. In this regard, the adhesive of Akasaki is created from a hot melt adhesive foam and is in the form of fibers defining an open weave film structure, whereas adhesive 40 of Sato et al. is not disclosed to be of such an open weave film structure, and because of the specific substrates joined via adhesive 40 (i.e. resin material having conductive layers formed thereon, as opposed to cloth substrates of Akasaki), there is no reason to believe that the adhesive 40 of Sato et al. is of an open weave film structure. Furthermore, the hot melt adhesive of Akasaki is of a type that is suited for application to larger surface areas and not to the limited area to which adhesive 40 of Sato et al. is applied. Accordingly, because of the different types of adhesive structure employed by Sato et al. and Akasaki, it is respectfully submitted that one having ordinary skill in the art would not have found it obvious to incorporate any teachings pertaining to the adhesive of Akasaki into Sato et al. with regard to adhesive 40 thereof. Thus, for this additional reason claim 21 is allowable over Sato et al. and Akasaki.

Third, rather than the hygroscopic particles of Akasaki being **mixed** in the adhesive thereof, as required by claim 21, the hygroscopic particles of Akasaki are “scattered...in the open spaces between the fibers of the open weave film structure” (please see the sentence bridging columns 5 and 6). It is respectfully submitted that the scattering of hygroscopic particles between adhesive fibers would teach nothing to one having ordinary skill in the art with regard to how or why hygroscopic particles could or should be mixed in the adhesive of Sato et al. This is especially true in light of the fact that Sato et al. is not expressly concerned with moisture resistance. Thus, for this additional reason claim 21 is allowable over Sato et al. and Akasaki.

In view of the above, claims 21-42 are allowable.

Furthermore, in addition to the reasons presented above, claims 22, 23 and new claim 42 are each believed to be patentable since these claims recite a specific particle size and weight ratio of the hygroscopic particles not taught or suggested by any of the references relied upon by the Examiner.

In rejecting claim 22 as being unpatentable over Sato et al. in view of Akasaki, and further in view of Iwanaga et al., the Examiner relied upon Iwanaga et al. for a teaching of hygroscopic particles having an average diameter of 3 μ m. However, in Iwanaga et al., the hygroscopic particles form part of a solution and are not mixed in an adhesive. It is respectfully submitted that dispersing hygroscopic particles of a ceratin size within a solution would not teach one having ordinary skill in the art anything with regard to the size of hygroscopic particles that are to be mixed in an adhesive. Thus, for this further reason claims 22 and 42 are allowable.

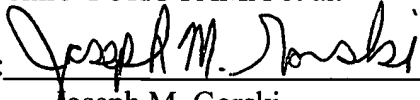
In rejecting claim 23 as being unpatentable over Sato et al. in view of Akasaki, and further in view of Rainer, the Examiner relied upon Rainier for a teaching of a weight ratio of hygroscopic particles being between 1-6 %. However, the hygroscopic particles of Rainier form part of an adhesive composition used to treat tobacco materials. It is respectfully submitted that the weight ratio of hygroscopic particles in an adhesive solution used to treat tobacco materials would not teach one having ordinary skill in the art anything with regard to the weight ratio of hygroscopic particles mixed in an adhesive used to join substrates of a touch panel to each other. Thus, for this further reason claims 23 and 42 are allowable.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

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